

Serial No.: 09/701,430

Locker et al. '133 is said to show all elements of the rejected claims but for having the honeycomb structure not loaded with a catalyst. The Examiner cites the secondary reference, which is said to show that one may deposit catalyst on a support before or after the support is mounted in a casing. The references in combination do not teach or suggest the invention as claimed.

The Examiner, with respect, has clearly resorted to hindsight when combining the references, because Locker et al. EP '133 at column 6, lines 44 to 53 contains a discussion that the ceramic honeycomb structure contains a catalyst. Moreover, the claims of the reference are directed to a "catalytic converter", which means that the article must contain a catalyst. The Locker et al. EP '133 device must contain a catalyst. Thus, there is no reason to contemplate a structure that does not contain a catalyst. The only rationale for combining the references is the hindsight provided by the instant disclosure. The rejection, therefore, should be withdrawn.

Serial No.: 09/701,430

The rejection of claims 2 to 4 and 8 under 35 USC 103 as unpatentable over Locker et al. EP '133 in view of Close et al., further in view of Machida et al. '079, is likewise respectfully traversed. The tertiary reference is cited to show that it is known to use non-intumescent ceramic fiber mats. The reference does not, as argued in previous replies, supply that which is missing from the other references used in the rejection.

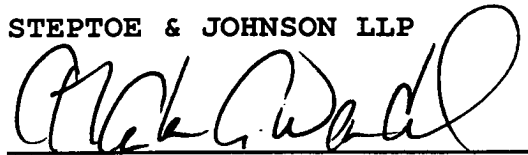
The rejection of claims 1 to 5 and 8 under 35 USC 103 as unpatentable over Langer et al. WO '144 in view of Close et al. '865 and Machida et al. '079 is also respectfully traversed. It is asserted in the Office Action that Langer et al. WO '144 shows a "ceramic honeycomb structure 20 before carrying a catalyst." Applicants disagree absolutely with such a statement because the reference at page 20, lines 11 to 13 states that the converter "contains a catalyst which is typically mounted onto a monolithic structure 20 mounted in the converter 10." Thus, Langer et al. WO '144 is no more pertinent than Locker et al. EP '133 discussed above. The rejection here should be withdrawn as well.

Serial No.: 09/701,430

The Examiner is requested to telephone the undersigned should anything further be required in the case prior to allowance.

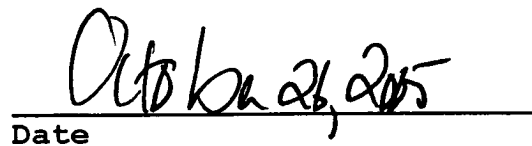
Respectfully submitted,

STEPTOE & JOHNSON LLP



Charles A. Wendel

Registration No. 24,453



Date

STEPTOE & JOHNSON LLP
1330 Connecticut Ave., N.W.
Washington, D.C. 20036
(202) 429-6415

New Attorney Docket No. 28953.7204
Old Attorney Docket No. WATK:204
CAW/cd